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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,181	03/11/2004	Bertrand Barre	119067	4941
25944	7590	05/25/2006	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			HURLEY, SHAUN R	
		ART UNIT	PAPER NUMBER	
			3765	

DATE MAILED: 05/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/797,181	BARRE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Shaun R. Hurley	3765	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 18 August 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-6 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 11 March 2004 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>08/18/04</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

## **DETAILED ACTION**

### ***Oath/Declaration***

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It does not identify the mailing address of each inventor. A mailing address is an address at which an inventor customarily receives his or her mail and may be either a home or business address. The mailing address should include the ZIP Code designation. The mailing address may be provided in an application data sheet or a supplemental oath or declaration. See 37 CFR 1.63(c) and 37 CFR 1.76.

### ***Drawings***

2. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the detail numbers are illegible. Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Gouldson et al (5509587).

Gouldson teaches one piece plastic hanger (Figure 1) comprising a hook (12) having a head and base, a carrying body comprising first and second arms extending substantially in the same longitudinal direction with opposite orientations, each arm comprising a distal end and a proximal end, the arms being joined to the base of the hook, the arms having a hollow cross section (Figures 6-10) comprising an end wall, two legs, and two wings each extending from the legs so as to define a W shape, wherein the hollow section is inscribed within a non-angular shape chosen from among oval, round, or rounded-square shapes and the dimensions of the hollow section vary without interruption.

5. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Hollis (5071045).

Hollis teaches one piece plastic hanger (Figure 1) comprising a hook having a head and base, a carrying body comprising first and second arms extending substantially in the same longitudinal direction with opposite orientations, each arm comprising a distal end and a proximal end, the arms being joined to the base of the hook, the arms having a hollow cross section (Figures 4-10) comprising an end wall, two legs, and two wings each extending from the legs so as to define a W shape, wherein the hollow section is inscribed within a non-angular shape chosen from among oval, round, or rounded-square shapes and the dimensions of the hollow section vary without interruption.

6. Claims 1, 4, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Tontarelli (4714183).

Tontarelli teaches one piece plastic hanger (Figure 1) comprising a hook having a head and base, a carrying body comprising first and second arms extending substantially in the same longitudinal direction with opposite orientations and a transverse bar (1a) running between the

proximal ends of the arms, each arm comprising a distal end and a proximal end, the arms being joined to the base of the hook, the arms having a hollow cross section (Figures 4, 5) comprising an end wall and two legs, wherein the dimensions of the hollow section vary without interruption.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tontarelli.

Tontarelli essentially teaches the invention as discussed above, including reinforcing gussets (1b), but fails to specifically teach a linking rib between the first and second arms. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to utilize a rib so as to span the length of the coat hanger. Tontarelli teaches and understanding of needing to reinforce a coat hanger, and the ordinarily skilled artisan would have known to use a rib, so as to provide additional strength. Tontarelli utilizes one method of providing strength and rigidity to a coat hanger, and the ordinarily skilled artisan would have known the various options for providing such benefits and known to use them.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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WO 89/10718, Eiley et al (D408156), and Gouldson (6715650) all teach what is well known in the art.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shaun R. Hurley whose telephone number is (571) 272-4986. The examiner can normally be reached on Mon - Fri, 6:30 am - 3:00 pm, off second Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John J. Calvert can be reached on (571) 272-4983. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Shaun R Hurley  
Examiner  
Art Unit 3765

SRH  
19 May 2006